

Message Text

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ORIGIN AF-18

INFO OCT-01 ISO-00 EB-11 TRSE-00 AID-20 L-03 CIAE-00

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DRAFTED BY AF/W:JKBISHOP:L

APPROVED BY AF/W - MR. LOUGHRAN

EB/IFD/OIA - MR. ELLIS

AFR/CWA - MR. ELLIS (INFO)

TREASURY - MR. SHAPIRO (INFO)

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R 272347Z FEB 74

FM SECSTATE WASHDC

TO AMEMBASSY ACCRA

C O N F I D E N T I A L STATE 039690

E.O. 11652: GDS

TAGS: EMIN, EAID, PFOR, GA

SUBJECT- STATE 034699

REF: STATE 034699

FOR BARTLETT OF UNION CARBIDE

1. PLEASE PASS TO QUASHI-IDUN: PROPOSAL DISCUSSED IN LONDON ENDORSED HERE AND REQUEST YOU PROCEED NEGOTIATIONS ATTORNEY GENERAL AND TURKSON. USING AS REFERENCE DRAFT LETTER NO. 2 DATE 21/2/74 FOLLOWING CHANGES WOULD BE MADE:

AAA SUBJECT BECOMES THE AFRICAN MANGANESE COMPANY LIMITED AND FIRST PARAGRAPH REVISED AS FOLLOWS: "WE REFER TO THE DISCUSSIONS REGARDING SETTLEMENT OF CLAIM AGAINST THE AFRICAN MANGANESE COMPANY LIMITED AND WRITE TO CONFIRM THE FOLLOWING POINTS."

BBB PREFACE SECOND PARAGRAPH WITH "WE HAVE AGREED THAT IT" AND IN SEVENTH LINE INSERT "AN INTERNATIONAL FIRM OF" BEFORE "CHARTERED ACCOUNTANTS."

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CCC PAGE TWO PARAGRAPH ONE DELETE "FROM THE AFRICAN
MANAGANESE COMPANY LIMITED" IN SECOND AND THIRD LINES.

DDD PARAGRAPH FIVE REVISED FIRST LINE AS FOLLOWS:
"THE REPORT THE AFORESAID ACCOUNTANTS WILL CERTIFY TO THE
COMMISSIONER OF INCOME TAX OF GHANA."

EEE LAST PARAGRAPH PAGE 3 SECOND LINE DELETE
"DISPUTES AND" NEW SENTENCE FOURTH LINE DELETE "SUBJECT"
AND INSERT "INSTITUTED BY THE AFRICAN MANGANESE COMPANY
LIMITED" AFTER COURT ACTION.

2. AS AGREED THIS WILL BE IN FORM OF STIPULATION SIGNED
BY ATTORNEY GENERAL AND TURKSON. PLEASE ADVISE WHETHER
MORE APPROPRIATE YOU OR OFFICER SIGN ON BEHALF OF AMC.
PLEASE KEEP US ADVISED OF PROGRESS. GOOD LUCK. SIGNED
GEOGHAN.

3. FOR EMBASSY: PRECEDING ARE AMENDMENTS TO LETTER
IN WHICH UCC WILL MAKE SETTLEMENT OFFER DESCRIBED REFTTEL.
UCC ESTIMATES PAYMENT TO GOG WILL BE 8.3 MILLION CEDIS.
IF GOG ACCEPTS THIS PROCEDURE FOR HANDLING BACK TAX ISSUE.
GEOGHAN SAYS UCC WILL TAKE TOUGH STANCE ON COMPENSATION,
DEMANDING THAT COMPENSATION BE CALCULATED ON BASIS FULL
BOOK VALUE. GEOGHAN SAID UCC EXPECTS REQUEST DEPART-
MENT'S SUPPORT FOR THIS DEMAND, IF AND WHEN BACK TAX
PROBLEM RESOLVED. CASEY

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